

State of Arizona  
COMMISSION ON JUDICIAL CONDUCT

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Disposition of Complaint 24-409

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Judge:

Complainant:

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**ORDER**

The Complainant alleged an appellate court judge made improper comments regarding politics and elections.

The role of the Commission on Judicial Conduct is to impartially determine whether a judicial officer has engaged in conduct that violates the Arizona Code of Judicial Conduct or Article 6.1 of the Arizona Constitution. There must be clear and convincing evidence of such a violation in order for the Commission to take disciplinary action against a judicial officer.

The Commission reviewed all relevant available information and concluded there was not clear and convincing evidence of ethical misconduct in this matter. The Commission approved sending the judge an advisory letter to be careful in their choice of words, actions, and inactions in the perilous arena of judicial elections in the future. The complaint is therefore dismissed pursuant to Commission Rules 16(b) and 23(a).

Commission members Roger D. Barton and Colleen E. Concannon did not participate in the consideration of this matter.

Dated: July 23, 2025

FOR THE COMMISSION

/s/ Christopher P. Staring

Hon. Christopher P. Staring  
Commission Chair

Copies of this order were distributed to all appropriate persons on July 23, 2025.

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Arizona Commission on Judicial Conduct

24-409

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**RE: Complaint Against Arizona Supreme Court Justice**

Dear Members of the Arizona Commission on Judicial Conduct:

As you know, \_\_\_\_\_ is currently on the ballot because he's up for retention this year. This is a formal complaint against Justice \_\_\_\_\_ based on recent reporting about comments he made while campaigning in favor of his retention.

On \_\_\_\_\_ published an article by \_\_\_\_\_ and \_\_\_\_\_ titled “\_\_\_\_\_”

\_\_\_\_\_). That article contains the following passage about a public appearance Justice \_\_\_\_\_ recently made (I've added the bold emphasis):

I believe \_\_\_\_\_ active campaigning at a \_\_\_\_\_ cardboard cutout of the

\_\_\_\_\_ event while standing next to a \_\_\_\_\_, demeaning the intelligence of

“ \_\_\_\_\_, ” and reminding potential voters that a \_\_\_\_\_ would choose his replacement violates several provisions of the Arizona Code of Judicial Conduct. After all, the CJC’s Preamble starts from the principle that “[j]udges should maintain the dignity of judicial office at all times, and avoid both impropriety and the appearance of impropriety in their professional and personal lives” and “should aspire at all times to conduct that ensures the greatest possible public confidence in their independence, impartiality, integrity, and competence.” Justice \_\_\_\_\_ appearance and comments can’t meet that standard and we should expect better of our judges.

More specifically, I request that the Commission investigate \_\_\_\_\_ for potential violations of at least the following rules:

- Rule 2.4 says that “[a] judge shall not be swayed by partisan interests, public clamor, or fear of criticism,” and a comment says that “[c]onfidence in the judiciary is eroded if judicial decision making is perceived to be subject to inappropriate outside influences.” Campaigning at a \_\_\_\_\_ event next to a cardboard cutout of \_\_\_\_\_ while demeaning the “ \_\_\_\_\_ ” and a \_\_\_\_\_ violates this rule.
- Rule 3.1 says that “when engaging in extrajudicial activities, a judge shall not: (A) participate in activities that will interfere with the proper performance of the judge’s judicial duties; (B) participate in activities that will lead to frequent disqualification of the judge; (C) participate in activities that would appear to a reasonable person to undermine the judge’s independence, integrity, or impartiality or demean the judicial office.” A comment says that “[d]iscriminatory actions and expressions of bias or prejudice by a judge, even outside the judge’s official or judicial actions, are likely to appear to a reasonable person to call into question the judge’s integrity and impartiality. Examples include jokes or other remarks that demean individuals based upon their race, sex, gender, religion, national origin, ethnicity, disability, age, sexual orientation, marital status, **political affiliation**, or socioeconomic status.” Again, campaigning at a \_\_\_\_\_ event next to a cardboard cutout of \_\_\_\_\_ while demeaning the “ \_\_\_\_\_ ” and a \_\_\_\_\_ violates this rule.
- Rule 4.1 says that “A judge or a judicial candidate shall not do any of the following: (1) act as a leader in, or hold an office in, a political organization; (2) make speeches on behalf of a political organization or another candidate for public office.” A comment “[e]ven when subject to public election, a judge plays a role different from that of a legislator or executive branch official. Rather than making decisions based upon the expressed views or preferences of the electorate, a judge makes decisions based upon the law and the facts of every case. Therefore, in furtherance of this interest, **judges and judicial candidates must, to the greatest extent possible, be free and appear to be free from political influence and**

**political pressure.**” Again, campaigning at a \_\_\_\_\_ event next to a cardboard cutout of \_\_\_\_\_ while demeaning the “ \_\_\_\_\_ ” and a \_\_\_\_\_ violates this rule.

- Rule 4.2 says that “[a] judicial candidate shall: (1) act at all times in a manner consistent with the independence, integrity, and impartiality of the judiciary.” Yet again, campaigning at a \_\_\_\_\_ event next to a cardboard cutout of \_\_\_\_\_ while demeaning the “ \_\_\_\_\_ ” and a \_\_\_\_\_ violates this rule.

I hope you will conduct a thorough investigation into these allegations and discipline as appropriate. Please let me know if I can provide any further information. I affirm, under penalty of perjury, that the foregoing information and the allegations contained in the attached complaint are true to the best of my knowledge.

Sincerely,